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TO: Refund Section, Accounting Division, Office of Finance

FIRM: U.S. Patent and Trademark Office

FACSIMILE NO.: 1-703-872-9306

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FROM: James C. Lydon

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RE: Request for Refund
U.S. Patent Appln. S.N.10/521,761
By: Tomi JÄRVINEN et al.
Atty. Case No.: HORMOS-019

Master C: XXXXXXXXXXXX0101

TOTAL PAGES: 4 including cover sheet.

DATE: May 9, 2005

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MAY 09 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Tomi JÄRVINEN et al.

ATTN: Refund Section
Accounting Division
Office of Finance

Serial Number: 10/521,761

Filed: January 21, 2005

For: LIGNAN COMPLEXES

REQUEST FOR REFUND PURSUANT TO 35 USC § 376

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 9, 2005

Sir:

The Patent Office is requested to refund \$50.00, and to credit the refund to our Deposit Account No. 50-1258. The facts supporting this Refund Request follow:

1. This application is a U.S. National Stage of International application PCT/FI2003/000511, and claims small entity status.

2. The 2005 Consolidated Appropriations Act split the National fee for Patent Cooperation Treaty (PCT) applications entering the U.S. National Stage into a separate National fee, search fee and examination fee during fiscal years 2005 and 2006. These fees became effective December 8, 2004.

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REQUEST FOR REFUND

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3. This application was filed on January 21, 2005. The then-current "small entity" filing fees were paid at that time, specifically including a search fee of \$250.00.

4. A PCT Search Report was provided to the Office at the time the search fee was paid (January 21, 2005).

5. The Patent Office revised its search and examination fees for PCT applications entering the National Stage in the United States on February 1, 2005. See "Revision of Search and Examination Fees for Patent Cooperation Treaty Applications Entering the National Stage in the United States," 70 Fed. Reg. 5053 (February 1, 2005) ("Interim Rule"). Importantly, the changes in the Interim Rule apply to all International applications entering the National Stage under 35 USC § 371 for which the basic National fee specified in 35 USC § 41 is paid on or after December 8, 2004.

6. The Interim Rule states the Office will refund \$100.00 (\$50.00 for small entities) if an International search report on the International application has been prepared and is provided to the Office no later than the time at which the search fee is paid.

ARGUMENT

This application satisfies the requirements set forth in the Interim Rule for refund of a portion of the search fee. More

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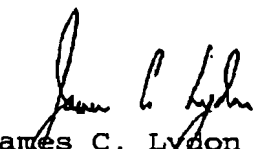
specifically, the applicants provided an International search report on the International application to the Office no later than the time at which the search fee had been paid.

ACTION REQUESTED

The Patent Office is requested to refund \$50.00 of the applicants' search fee to Deposit Account No. 50-1258.

It is not believed any fee is required for entry and consideration of this Refund Request. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,


James C. Lydon
Reg. No. 30,082

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